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**From:** Gartner, Lois  
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**Subject:** draft CNN responses--sorry didn't send sooner

Can the EPA designate a site a superfund area without support from a community?

The 1986 amendment of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, better known as Superfund) contains public participation provisions that direct the EPA to engage communities affected by actual and potential Superfund sites about cleanup decisions, including the decision to list a site. The Superfund National Priorities List (NPL) identifies the most serious sites that the EPA has designated to be eligible for long-term cleanup. When the EPA proposes to add a site to the NPL, the Agency publishes a public notice about its intention in the *Federal Register*. The EPA also issues a public notice through the local media to notify the community, so interested members of the community can comment on the proposal. EPA must respond to the comments it receives. After consideration of those comments and the weighing of other factors, EPA may proceed with adding a site to the NPL. It's also important to note that the Agency can, and does, take emergency response actions at many abandoned mine sites that are not listed on the NPL.

4)I'm also wondering if the type of mining pollution that was created by this particular mine is common with all mines.

Yes, the type of mining pollution at the Gold King Mine is typical of many mine sites.

5)Earth Work Action tells me that the price to clean up these sites has been estimated by the EPA at \$50 billion, and there is no steady funding source, leaving the EPA, states and local governments to cobble together resources for clean-up. Is

that true?

Not sure if Shahid can provide some insight about where the \$50B figure comes from...

Congress appropriates funds for Superfund cleanups; those appropriated funds come almost entirely from general revenues since the Superfund taxing authority expired in 1995. Because of the funding source being primarily general revenues, as opposed to appropriated from the trust fund, the Superfund program competes with other. Over the last several years, EPA's long-term cleanup budget has sustained a nearly 30 percent decrease. Funding shortfalls have meant EPA has had construction projects ready to start but could not initiate the work because of funding constraints. The EPA does work with state, tribal and local governments to identify options for cleaning up sites based on site conditions and other factors. However, funding issues alone do not explain EPA's work with states, tribes and local governments to identify cleanup options: Since the Superfund law was passed, state cleanup and voluntary cleanup programs have evolved, which has meant these programs have diverted sites from the NPL that might have been added at an earlier time.

6)The advocacy group also claims that 40% of the streams in the headwaters of western watersheds have been polluted by hardrock mining. Is that true? Is there more context needed here? Is there some amount of pollution that's allowable ie safe?

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